

REMARKS

Claims 1 through 26 are pending in the present application. In response to a Restriction Requirement dated October 19, 2005, applicant elected claims 1 through 20 for prosecution. In the Office Action dated November 15, 2005, the Examiner rejected claims 1 through 20 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 2,941,949 to Saukaitis, *et al.* ("Saukaitis"), in view of U.S. Patent No. 3,551,122 to Gulla ("Gulla"). Applicants disagree with the stated grounds of rejection and desire to further clarify various distinctions of the present invention over the cited art. Reconsideration of the present application is therefore requested in light of the present amendment and following remarks.

The disclosed embodiments of the invention will now be discussed in comparison to the prior art. It is understood, however, that any discussion of the disclosed embodiments, as well as any discussion of the differences between the disclosed embodiments of the present invention and the prior art do not define the scope or interpretation of any of the claims. Instead, such discussed differences, when presented, are offered merely to help the Examiner appreciate important claim distinctions as they are discussed.

The Examiner has cited the Saukaitis reference as pertinent to the patentability of claims in the present application. Saukaitis discloses solutions for cleaning and pickling metal surfaces, such as mild steel, zinc and aluminum. Applicants note that, while the solutions disclosed in Saukaitis may include "...non-oxidizing mineral acids...which consists of sulphuric, phosphoric, hydrochloric, sulfamic, hydrofluoric and fluosilicic acids..." (col. 1, lines 25-30), applicants cannot find any teaching or suggestion that the etching rate of the disclosed solution is periodically measured to determine if the etch rate of the solution meets or exceeds a predetermined required minimum etching rate. Applicants similarly cannot find any teaching or suggestion in the Saukaitis reference that replenishment with a component of the solution may be performed when the determined etching rate falls below the predetermined required minimum etching rate.


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The Examiner also cites the Gulla reference. Gulla discloses a method for preparing a surface finish on aluminum alloys having about 0.1% silicon. The conversion coating thus formed is composed of aluminum that is substantially enriched in silicon and other alloy constituents (col. 2, lines 20-35). Again, applicants cannot find any reference to any teaching or suggestion in the disclosed method that the etching rate is periodically measured to determine if the etching rate meets or exceeds a predetermined required minimum etching rate. Similarly, applicants cannot find any teaching or suggestion in the Saukaitis reference that replenishment may be performed when the determined etching rate falls below the predetermined required minimum etching rate.

Applicant therefore respectfully asserts that the asserted combination of references fails to disclose, or to suggest in any motivated fashion, the above-described elements that the applicants regard as an integral portion of the disclosed invention. Applicants therefore assert that independent claims 1, 10 and 19 are, in fact, allowable over the cited references. Claims depending from the foregoing independent claims are also allowable based upon the allowable form of the independent claims, and further in view of the additional limitations recited in the dependent claims.

For the foregoing reasons, applicant respectfully requests reconsideration and withdrawal of the stated rejections. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to call the undersigned at his convenience.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



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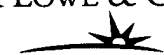
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